

SSB 6391 - S AMD 63
By Senator Keiser

ADOPTED 02/13/2006

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 18.20.020 and 2004 c 142 s 1 are each amended to read
4 as follows:

5 As used in this chapter:

6 (1) "Boarding home" means any home or other institution, however
7 named, which is advertised, announced, or maintained for the express or
8 implied purpose of providing housing, basic services, and assuming
9 general responsibility for the safety and well-being of the residents,
10 and may also provide domiciliary care, consistent with chapter 142,
11 Laws of 2004, to seven or more residents after July 1, 2000. However,
12 a boarding home that is licensed for three to six residents prior to or
13 on July 1, 2000, may maintain its boarding home license as long as it
14 is continually licensed as a boarding home. "Boarding home" shall not
15 include facilities certified as group training homes pursuant to RCW
16 71A.22.040, nor any home, institution or section thereof which is
17 otherwise licensed and regulated under the provisions of state law
18 providing specifically for the licensing and regulation of such home,
19 institution or section thereof. Nor shall it include any independent
20 senior housing, independent living units in continuing care retirement
21 communities, or other similar living situations including those
22 subsidized by the department of housing and urban development.

23 (2) "Basic services" means housekeeping services, meals, nutritious
24 snacks, laundry, and activities.

25 (3) "Person" means any individual, firm, partnership, corporation,
26 company, association, or joint stock association, and the legal
27 successor thereof.

28 (4) "Secretary" means the secretary of social and health services.

29 (5) "Department" means the state department of social and health
30 services.

1 (6) "Resident's representative" means a person designated
2 voluntarily by a competent resident, in writing, to act in the
3 resident's behalf concerning the care and services provided by the
4 boarding home and to receive information from the boarding home, if
5 there is no legal representative. The resident's competence shall be
6 determined using the criteria in RCW 11.88.010(1)(e). The resident's
7 representative may not be affiliated with the licensee, boarding home,
8 or management company, unless the affiliated person is a family member
9 of the resident. The resident's representative shall not have
10 authority to act on behalf of the resident once the resident is no
11 longer competent.

12 (7) "Domiciliary care" means: Assistance with activities of daily
13 living provided by the boarding home either directly or indirectly; or
14 health support services, if provided directly or indirectly by the
15 boarding home; or intermittent nursing services, if provided directly
16 or indirectly by the boarding home.

17 (8) "General responsibility for the safety and well-being of the
18 resident" means the provision of the following: Prescribed general low
19 sodium diets; prescribed general diabetic diets; prescribed mechanical
20 soft foods; emergency assistance; monitoring of the resident; arranging
21 health care appointments with outside health care providers and
22 reminding residents of such appointments as necessary; coordinating
23 health care services with outside health care providers consistent with
24 RCW 18.20.380; assisting the resident to obtain and maintain glasses,
25 hearing aids, dentures, canes, crutches, walkers, wheelchairs, and
26 assistive communication devices; observation of the resident for
27 changes in overall functioning; blood pressure checks as scheduled;
28 responding appropriately when there are observable or reported changes
29 in the resident's physical, mental, or emotional functioning; or
30 medication assistance as permitted under RCW 69.41.085 and as defined
31 in RCW 69.41.010.

32 (9) "Legal representative" means a person or persons identified in
33 RCW 7.70.065 who may act on behalf of the resident pursuant to the
34 scope of their legal authority. The legal representative shall not be
35 affiliated with the licensee, boarding home, or management company,
36 unless the affiliated person is a family member of the resident.

37 (10) "Nonresident individual" means a person who resides in
38 independent senior housing, independent living units in continuing care

1 retirement communities, or in other similar living environments or in
2 a boarding home and may receive one or more of the services listed in
3 RCW 18.20.030(5)((, but)). A nonresident individual may not receive
4 domiciliary care, as defined in this chapter, directly or indirectly by
5 the ((facility)) boarding home and may not receive the items and
6 services listed in subsection (8) of this section, except during the
7 time the person is receiving adult day services as defined in this
8 section.

9 (11) "Resident" means an individual who is not related by blood or
10 marriage to the operator of the boarding home, and by reason of age or
11 disability, chooses to reside in the boarding home and receives basic
12 services and one or more of the services listed under general
13 responsibility for the safety and well-being of the resident and may
14 receive domiciliary care or respite care provided directly or
15 indirectly by the boarding home and shall be permitted to receive
16 hospice care through an outside service provider when arranged by the
17 resident or the resident's legal representative under RCW 18.20.380.

18 (12) "Resident applicant" means an individual who is seeking
19 admission to a licensed boarding home and who has completed and signed
20 an application for admission, or such application for admission has
21 been completed and signed in their behalf by their legal representative
22 if any, and if not, then the designated representative if any.

23 (13) "Adult day services" means care and services provided to a
24 nonresident individual by the boarding home on the boarding home
25 premises, for a period of less than twenty-four continuous hours, and
26 does not involve an overnight stay."

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27 On page 1, line 2 of the title, after "settings;" strike the
28 remainder of the title and insert "and amending RCW 18.20.020."

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